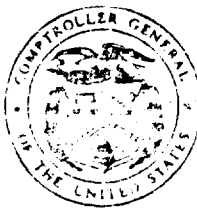


**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

*Ph. I*  
**25665**

**FILE:** B-212037

**DATE:** July 5, 1983

**MATTER OF:** Putnam Mills Corporation

**DIGEST:**

The Small Business Administration, not the General Accounting Office, has the statutory authority to conclusively determine matters of small business size status.

Putnam Mills Corporation (Putnam) protests award of a contract to anyone other than Putnam under invitation for bids No. DLA100-83-B-0648, a small business set-aside, issued by the Defense Logistics Agency (DLA) for cloth.

Putnam's protest is dismissed.

Putnam contends that it is the low bidder and award to anyone other than Putnam would be both arbitrary and capricious. Putnam advises that the Small Business Administration (SBA) advised it of a protest filed by H. Landau and Co. (H. Landau). In its protest to our Office, Putnam submits that it has not received a copy of H. Landau's protest, even though it made repeated requests to the SBA.

DLA has informally advised us that H. Landau's protest concerns Putnam's size status and that the protest was referred to the SBA. Further, DLA advised us that it is awaiting SBA's determination and that the contract has not been awarded.

Since the SBA, not this Office, has statutory authority to conclusively determine matters of small business size status for Federal procurements, 15 U.S.C. § 637(b) (Supp. IV, 1980), Kelley Name Pin Co., Inc., B-204735, September 22, 1981, 31-2 CPD 242, we dismiss the protest.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel

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